

second time, and on motion of Senator Ruby, one hundred copies ordered printed.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills beg leave to report that they did this day, at 4:30 o'clock P. M., present to his Excellency the Governor for his signature and approval the following Senate bills:

No. 82, "An act for the relief of John S. Meniffee."

No. 102, "An act for the relief of the heirs of Anthony McGee."

No. 116, "An act for the relief of Lycurgus E. Griffith."

H. R. LATIMER, Chairman.

House bill No. 242, "An act to secure good bonds from public officers," together with the report of the committee recommending that the bill do not pass, was taken up. The bill was read second time and the report adopted.

House bill No. 229, "An act to amend article one hundred and fifty-seven of an act regulating attachments, approved January 16, 1850," together with the report of the committee recommending that the bill do not pass, was taken up. The bill was read second time and the report adopted.

House bill No. 228, "An act to amend article four hundred and thirty-five of the Code of Criminal Procedure," was taken up. The bill was read second time and passed to a third reading; rules suspended, read third time and passed.

On motion of Senator Gaines, the Senate adjourned to 9 o'clock A. M. to-morrow by the following vote:

Yeas—Senators Baker, Ball, Cole, Ford, Flanagan, Fountain, Gaines, Latimer, Pyle, Rawson, Randle, Saylor, Tendick and Tracy—14.

Nays—Senators Avinger, Dillard, Dohoney, Evans, Finlay, Franks, Henry, King, Ruby, Sayers, Shelley, Swift, Word and Mr. President—14.

SENATE CHAMBER,
AUSTIN, TEXAS, May 22, 1873. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Latimer, the reading of the journal of yesterday was dispensed with.

Senator Henry, chairman of Judiciary Committee No. 1, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 357, to be entitled "An act to authorize L. M. Martin, guardian of the minors David and Emily M. Thomas, to sell certain lands belonging to his wards," ask leave to report the same back, and recommend that it do not pass, because it is in direct disregard of Section 25 of Article III of the State Constitution.

JOHN L. HENRY, Chairman.

Senator Shelley, chairman of the Committee on Finance, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Finance, to whom was referred House bill No. 858, to be entitled "An act to authorize the County Court of Gillespie county to contract a loan by issuing interest-bearing bonds for the purpose of building a court house and jail," have carefully considered the same, and I am instructed to report the bill back to the Senate with the recommendation that it do pass.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Finance, to whom was referred House bill No. 867, to be entitled "An act to levy a special tax in the county of Angelina for the purpose of building a court house and jail," have carefully considered the same, and instruct me to report it back with the recommendation that it do pass.

N. G. SHELLEY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Finance, to whom was referred House bill No. 832, to be entitled "An act providing compensation for persons examining railroads," instruct me to report the same back and recommend its passage with the accompanying amendment.

N. G. SHELLEY, Chairman.

Amend section one by striking out all after the word "dollars" in line six, down to and including the word "service" in line eight, and inserting the words, "per mile for each and every mile so examined."

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred House bill No. 863, entitled "An act to amend section three of an act supplementary to an act to provide for the payment of the public debt of the State of Texas, approved May 2, 1871, approved November 13, 1871," have considered the same, and have instructed me to report the bill back with the following amendment, and as amended to recommend its passage.

N. G. SHELLEY, Chairman.

Strike out the word "four" in line four, and insert "five."

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Finance, to whom was referred House bill No. 760, entitled "An act to authorize the holders of State warrants to surrender the same to the Treasurer and receive State bonds for the same," have considered said bill, and instruct me to report the same back and recommend its passage.

N. G. SHELLEY, Chairman.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report :

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Enrolled Bills have carefully examined Senate bill No. 100, "An act to provide for the merger of the Waco and Northwestern Railroad Company, with its property, rights, privileges and franchises, in the Houston and Texas Central Railway Company," and find the same correctly enrolled.

H. R. LATIMER, Chairman.

Senator Finlay, chairman of select committee, reported as follows :

Hon. E. B. Pickett, President of the Senate :

SIR: Your special committee, to whom was referred House bill No. 868, entitled "An act to amend the first and fourth sections of an act entitled an act to reduce into one and amend the several acts concerning executions, approved January 27, 1842," ask leave to report the same back and recommend its passage with the accompanying amendment.

GEO. P. FINLAY, Chairman.

Amend section one, line thirteen, by striking out the word "six" and inserting the word "three."

Senator Franks introduced a bill to be entitled "An act

supplemental to an act to authorize counties, cities and towns to aid in the construction of railroads and other works of internal improvement, approved April 12, 1871." Read first time and referred to the Committee on Finance.

Senator Shelley introduced a bill and petition of sundry citizens of the city of Austin for relief. Read first time and referred to the Committee on State Affairs.

The following House bills were taken from the President's desk, read first time and referred to the committees indicated:

No. 924, "An act to incorporate the town of Corsicana." Referred to the Committee on State Affairs.

No. 883, "An act to incorporate the Wilson Creek and Colorado Canal Company." Referred to Committee on Internal Improvements.

No. 913, "An act making an appropriation to defray the contingent expenses of the first session of the Thirteenth Legislature." Referred to the Committee on Contingent Expenses.

No. 889, "An act to amend section ten of an act prescribing the time of holding district courts in the several judicial districts of the State, approved August 10, 1870." Referred to Judiciary Committee No. 1.

No. 742, "An act amendatory of an act to incorporate the Galveston Agricultural, Horticultural and Industrial Association." Referred to Committee on Agriculture.

No. 548, "An act to amend the first section of an act to incorporate the Texas Banking and Insurance Company, approved first day of July, 1870." Referred to Committee on State Affairs.

No. 654, "An act supplemental to and amendatory of an act to incorporate the Hempstead Eastern and Western Trunk Railroad Company, approved August 1, 1870." Referred to Committee on Internal Improvements.

No. 918, "An act for the protection of life and property from the use of explosive oils." Referred to Committee on State Affairs.

No. 792, "An act to organize the county of McMullen." Referred to Committee on Counties and County Boundaries.

No. 917, "An act to prohibit the sale of spirituous liquors within three miles of Bordenville, in Colorado county." Referred to Committee on State Affairs.

No. 919, "An act to appropriate three hundred dollars

to pay for postage stamps for the office of Superintendent of Public Instruction." Referred to Committee on Education.

No. 916, "An act to amend the twelfth section of an act to organize courts of justices of the peace and county courts, and to define their duties and jurisdiction." Referred to Judiciary Committee No. 2.

No. 712, "An act granting lands to International Railroad Company." Referred to Committee on Internal Improvements.

No. 563, "An act to amend sections three, five and six of an act to incorporate the Carthage Branch Railroad Company, and to grant land to aid in constructing the same." Referred to Committee on Internal Improvements.

No. 896, "An act to regulate the fees of office." Referred to Judiciary Committee No. 1.

On motion of Senator King the rules were suspended to take up House bill No. 858, "An act to authorize the County Court of Gillespie county to contract a loan by issuing interest-bearing bonds for the purpose of building a court house and jail."

The bill was read second time and passed to a third reading; rules suspended, read third time and passed.

The following resolution, offered by Senator Ford on yesterday, was taken up:

Resolved, That the resolution heretofore adopted, prescribing the order of business as to the character of the bills to be acted upon during the remainder of this session, be and is hereby rescinded.

The Senate adopted the resolution by the following vote:

Yeas—Senators Baker, Ball, Broughton, Cole, Dillard, Dohoney, Ford, Fountain, King, Randle, Ruby, Sayers, Shelley and Tracy—15.

Nays—Senators Avinger, Finlay, Flanagan, Henry, Latimer, Pyle, Rawson, Swift, Word and Mr. President—10.

Not voting—Senators Evans, Gaines, Hall, Saylor and Tendick.

Senator Franks moved to reconsider the vote just taken on the adoption of the resolution, and on that motion a call of the Senate. Call sustained.

Absent—Senators Evans, Gaines, Saylor and Tendick.

Senator Latimer moved to reconsider the vote taken on yesterday, by which the Senate refused to pass the joint resolution providing for the printing of railroad charters in the general laws.

Senator Dillard moved to table the motion to reconsider, which was lost by the following vote:

Yeas—Senators Avinger, Baker, Dillard, Evans, Finlay, Flanagan, Franks, Henry, Rawson, Sayers and Word—11.

Nays—Senators Ball, Cole, Dohoney, Fountain, Hall, King, Latimer, Pyle, Randle, Ruby, Shelley, Tendick and Tracy—13.

Not voting—Senators Broughton, Ford, Gaines, Saylor and Swift.

The vote on the passage of the resolution was then reconsidered by the following vote:

Yeas—Senators Ball, Broughton, Cole, Dohoney, Ford, Fountain, Gaines, Hall, King, Latimer, Pyle, Randle, Ruby, Saylor, Shelley and Tracy—16.

Nays—Senators Avinger, Baker, Dillard, Finlay, Flanagan, Franks, Henry, Rawson, Sayers, Swift and Word—11.

Not voting—Senators Evans, Tendick, and Mr. President.

Senator Saylor, chairman of a select committee, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your select committee to whom was referred Senate bill No. 135, "An act relating to paupers and minor offenders, and to establish county farms for manual labor, poor houses and houses of correction," beg leave to report the same back to the Senate with the following amendments, and recommend its passage.

W. A. SAYLOR, Chairman.

Amend section one, line two (printed bill), by striking out "six" and inserting "twelve;" line fifteen by striking out "six" and inserting "twelve."

Amend section two, line twenty-three, by filling the blank with the word "twelve."

Amend section three, line twenty-two, by inserting after the words "giver for" the word "twenty," and after the words "days before" the words "said election;" line twenty-five by filling the blank with the word "twenty."

Amend section seven, line thirteen, by striking out the word "ten," and inserting the word "four."

Amend by striking out section eight.

Amend section ten, line four, by striking out the word "person" and inserting the words "minor and orphan."

Amend section eleven, line two, by inserting after the word "children" the words "and orphans," and in line five after the word "parents," the words "or guardians."

Amend section fourteen, line eight, after the word "his," by inserting the words "or her."

Amend section seventeen, line four, by striking out the words "one at least of the justices," and inserting the words "the chief justice, or with any justice of the peace."

Amend section eighteen, line two, by striking out the words "within thirty days thereafter," and inserting the words "return the said process on or before the first day of the next district court after the issuance thereof."

Amend section nineteen by striking out all after the words "said service," in line three of said section.

Amend section twenty-two, line seven, by filling the blank with the word "one," and in line twenty-six by inserting after the words "their father" the words "or mother;" line forty by filling the first blank with the words "one hundred," and the second blank, same line, with the word "twenty-five."

Amend section twenty-three, line one, by striking out the word "child," and inserting the words "minor person;" and line nine, by striking out the word "eighteen" and inserting "twenty-one;" line eighteen by striking out "eighteen" and inserting "fourteen."

Amend section twenty-four, line five, by inserting after the word "order" the words "describing the age, sex and description of such person."

Amend section twenty-five, line five, by filling the blank with the words "ten dollars," and in line six by filling the blank with the words "fifty dollars."

Amend by striking out section twenty-six.

Amend section twenty-eight, line two, by striking out the words "from and" and inserting the words "sixty days."

On motion of Senator Saylor, the rules were suspended, and the report and bill made special order for Saturday next at 10:30 o'clock A M.

Senator King, chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed:

Senate joint resolution No. 41, proposing amendments to section twenty of article one, bill of rights; to section two, section three and section four of article five; to section twenty-eight, section forty, and section forty-eight of article twelve, general provision of the Constitution of the State of Texas.

Senate amendments to House bill No. 721, "An act to regulate the assessment and collection of taxes."

Senate bill No. 324, "An act to incorporate the Sabine and Santa Fe Central Railway Company, and to provide the aid of the State of Texas in constructing the same."

Senate bill No. 30, "An act to incorporate the Sherman, Wichita and Pan Handle Railway, and to grant land to aid in the construction thereof."

HENRY C. KING, Chairman.

The Senate being full, the call was suspended, and House bill No. 850, "An act prescribing the times of holding general elections in this State," was taken up.

Senator Dohoney offered the following amendment: "SEC. 3. This act shall take effect and be in force from and after its passage."

The amendment was adopted.

Senator Fountain then offered the following amendment: Strike out the words "thirty Senators" and insert "ten" wherever it occurs in the bill.

Senator Flanagan moved to lay the amendment on the table. Lost by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Flanagan, Henry, King, Sayers, Shelley, Swift, Word and Mr. President—15.

Nays—Senators Baker, Broughton, Ford, Fountain, Franks, Gaines, Hall, Latimer, Pyle, Rawson, Randle, Ruby, Saylor, Tendick and Tracy—15.

The question recurring on the adoption of the amendment offered by Senator Fountain, the same was put and adopted by the following vote:

Yeas—Senators Baker, Broughton, Cole, Ford, Flanagan, Fountain, Franks, Gaines, Hall, Latimer, Rawson, Randle, Ruby, Saylor, Shelley, Tendick and Tracy—17.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Henry, King, Pyle, Sayers, Swift, Word and Mr. President—13.

Senator Flanagan moved to reconsider the vote just taken on the adoption of the amendment.

Senator Tracy moved to lay the motion on the table.

Lost by the following vote :

Yeas—Senators Baker, Broughton, Cole, Ford, Fountain, Gaines, Hall, Latimer, Rawson, Randle, Ruby, Saylor, Tendick and Tracy—14.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Flanagan, Franks, Henry, King, Pyle, Sayers, Shelley, Swift, Word and Mr. President—16.

The question recurring upon the adoption of the motion offered by Senator Flanagan to reconsider the vote taken on the adoption of the amendment, the same was put and carried by the following vote :

Yeas—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Flanagan, Franks, Henry, King, Pyle, Sayers, Swift, Word and Mr. President—15.

Nays—Senators Baker, Broughton, Cole, Ford, Fountain, Gaines, Hall, Latimer, Rawson, Randle, Ruby, Saylor, Shelley and Tracy—14.

The amendment was then adopted by the following vote :

Yeas—Senators Baker, Broughton, Cole, Ford, Fountain, Franks, Gaines, Hall, Latimer, Rawson, Randle, Ruby, Saylor, Shelley, Tendick and Tracy—16.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Flanagan, Henry, King, Pyle, Sayers, Swift, Word and Mr. President—14.

The question then being on the passage of the bill as amended to a third reading, the same was put, and the Senate refused to pass the bill to a third reading by the following vote :

Yeas—Senators Baker, Broughton, Franks, Hall, Latimer, Rawson, Randle, Ruby, Shelley, Tendick and Tracy—11.

Nays—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Ford, Finlay, Flanagan, Fountain, Gaines, Henry, King, Pyle, Saylor, Sayers, Swift, Word and Mr. President—19.

Senator Cole moved to reconsider the vote just taken.

Senate bill No. 218, "An act to establish and maintain a system of public free schools in the State of Texas," and the veto message of the Governor, taken up, and the

Senate passed the bill, notwithstanding the objections of the Governor, by the following two-thirds vote:

Yeas—Senators Avinger, Baker, Ball, Broughton, Cole, Dillard, Dohoney, Evans, Finlay, Franks, Hall, Henry, King, Latimer, Pyle, Randle, Saylor, Sayers, Shelley, Swift, Tracy, Word and Mr. President—23.

Nays—Senators Ford, Flanagan, Fountain, Gaines, Rawson, Ruby and Tendick—7.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills this day, at 9:30 o'clock A. M., presented to the Governor, for his signature and approval, Senate bill No. 100, "An act to provide for the merger of the Waco and Northwestern Railroad Company, with its properties, rights, privileges and franchises, in the Houston and Texas Central Railway Company."

H. R. LATIMER, Chairman.

A message was received from the House informing the Senate that the House refused to agree to the amendments of the Senate to House bill No. 721, "An act to regulate the assessment and collection of taxes."

House bill No. 373, "An act supplementary to an act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the insane, approved February 5, 1858," was taken up, read second time and passed to a third reading; rules suspended, read third time and passed.

Senator Flanagan in the chair.

The message of the Governor, vetoing Senate bill No. —, "An act to amend section seven of an act to incorporate Waco, approved April 26, 1871," was taken up and referred, together with the bill, to a select committee consisting of Senators Ford, Ball and Dillard.

House bill No. 332, "An act supplemental to and amendatory of the several acts concerning injunctions," was taken up, read second time and passed to a third reading; rules suspended, read third time and passed.

Senator Fountain gave notice that in the event of a reconsideration of the vote by which the Senate refused to pass to a third reading the bill providing for a general election in this State, he would move a reconsideration of the vote by which the Senate passed the amendment to said bill offered by himself.

House bill No. 318, "An act to repeal section sixty of an act concerning private corporations, approved December 2, 1871," was taken up, read second time and passed to a third reading; rules suspended, read third time and passed.

House bill No. 180, "An act to define and regulate the punishment of theft," was read second time and passed to a third reading; rules suspended, read third time, and the Senate refused to pass the bill by the following vote:

Yeas—Senators Avinger, Ball, Dillard, Evans, Finlay, Flanagan, Fountain, Henry, Latimer and Word—10.

Nays—Senators Baker, Cole, Franks, Hall, Pyle, Rawson, Ruby, Sayers, Shelley, Swift and Tendick—11.

Not voting—Senators Broughton, Dohoney, Ford, Gaines, King, Randle, Saylor, Tracy and Mr. President.

A message was received from the House informing the Senate that the House had appointed a committee of three to act with a like committee of the Senate to take into consideration the financial condition of the State, and to report by bill or otherwise.

The Senate took up the resolution, and appointed Senators Fountain, Henry and Finlay a committee on part of the Senate to act with said committee.

The hour having arrived, the special order, viz., the General Appropriation bill, with the two substitutes reported for same by the Committee on Finance, was taken up.

The first substitute, viz., making appropriations to supply the deficiencies in the appropriations for the years 1870, 1871 and 1872 for the support of the State government, was read first time.

Senator Tendick offered the following amendment: Under the head of immigration bureau, amend by striking out "\$6423.25" and insert "\$8512.85." Adopted.

Senator Dohoney offered the following amendment: Under the head of contingent expenses of the Twelfth Legislature, in line seventeen, printed bill, insert after "W. W. Gamble" the words "and Raymond & Whitis, assignees of A. Faulkner." Amend further by striking out "\$36" and insert "\$125.75." Adopted.

Senator Ruby proposed to amend as follows: Under miscellaneous insert "To T. B. Trainer, assignee of J. H. Townsend, for *per diem* and mileage as witness in the investigation of charges against the Superintendent of Pub²

lic Instruction, \$50; W. G. Nolan, for same, \$100." Adopted.

Senator Franks proposed to amend by adding: "SEC. 2. That this act take effect and be in force from and after its passage." Adopted.

Senator Saylor offered the following amendment: Under miscellaneous insert "To J. E. Slater, for writing up the journals of called session of Senate of 1871, \$400." Lost.

The bill was read second time and ordered engrossed; rules suspended, read third time and passed by the following two-thirds vote:

Yeas—Senators Avinger, Baker, Ball, Dillard, Dohoney, Evans, Ford, Finlay, Fountain, Hall, Henry, King, Latimer, Pyle, Rawson, Ruby, Saylor, Sayers, Shelley, Swift, Tendick, Tracy and Word—24.

Not voting—Senators Broughton, Cole, Franks, Gaines, Randle and Mr. President.

Senator Swift proposed to amend by striking out "\$1200," as salary for librarian and inserting "\$600."

Senator Finlay proposed to substitute the amendment by striking out all relating to librarian. Lost by the following vote:

Yeas—Senators Avinger, Dillard, Dohoney, Evans, Finlay, Flanagan, Henry, King, Latimer, Rawson, Swift and Word—12.

Nays—Senators Baker, Ball, Cole, Ford, Fountain, Franks, Gaines, Hall, Randle, Ruby, Saylor and Shelley—12.

Not voting—Senators Broughton, Pyle, Sayers, Tendick, Tracy and Mr. President.

The question recurring upon the adoption of Senator Swift's amendment, the same was put and lost by the following vote:

Yeas—Senators Avinger, Dillard, Dohoney, Evans, Finlay, Flanagan, Henry, King, Latimer, Rawson, Swift and Word—12.

Nays—Senators Baker, Ball, Cole, Ford, Fountain, Franks, Gaines, Hall, Randle, Ruby, Saylor, Shelley, Tendick and Tracy—14.

Not voting—Senators Broughton, Pyle, Sayers and Mr. President.

Senator Franks proposed to amend after the word "appropriated," in line five, section one, by inserting "out of

any money in the treasury not otherwise appropriated." Adopted.

Senator Sayers proposed to amend by striking out "\$5157.90," between lines eight and nine, of page two, amended copy, and inserting "\$5250.75." Adopted.

Senator King proposed to amend by inserting after line five, page eight, printed bill, "For salaries of school supervisors to May 31, 1873, \$7950. Postage and traveling expenses, \$1800." Adopted.

Senator Finlay proposed to amend by striking out "\$2000," as salary of chief clerk in State Department and inserting "\$1500." Lost by the following vote:

Yeas—Senators Avinger, Dillard, Evans, Finlay, Latimer, Swift and Tendick—7.

Nays—Senators Baker, Ball, Ford, Flanagan, Fountain, Franks, Gaines, Hall, Henry, King, Pyle, Rawson, Randle, Ruby, Saylor, Sayers, Shelley, Tracy and Word—19.

Not voting—Senators Broughton, Cole, Dohoney and Mr. President.

Senator Swift proposed to amend in line seven, page two, by striking out "\$5000," and inserting "\$1500." Also in line fifteen, page three, strike out "one," and insert "two, at \$1500 each." Adopted.

Senator Randle proposed to amend by striking out in Penitentiary Department, line five, "\$25,000," and inserting "35,000," and in line nine, "\$25,000," and inserting "\$35,000." Adopted by the following vote:

Yeas—Senators Avinger, Baker, Ball, Ford, Flanagan, Fountain, Franks, Gaines, Hall, King, Randle, Ruby, Saylor, Sayers, Shelley, Tendick and Tracy—17.

Nays—Senators Dillard, Dohoney, Evans, Finlay, Henry, Latimer, Rawson, Swift and Word—9.

Not voting—Senators Broughton, Cole, Pyle and Mr. President.

Senator Franks proposed to amend under Judiciary Department, page eleven, lines sixteen and seventeen, by striking out "\$35,000," and inserting "\$42,000."

Adopted.

Senator Tendick proposed to amend as follows, estimate for Bureau of Immigration:

For printing 25,000 pamphlets in English.....	\$2000
For printing 40,000 pamphlets in German.....	4000
For printing 10,000 pamphlets in Swedish.....	1000

For printing 20,000 pamphlets in Bohemian.....	2000
For printing 40,000 maps of Texas, to accompany pamphlets.....	3000
For compiling English, German, Swedish and Bohemian pamphlets.....	1000
For postage on pamphlets distributed in Europe..	500
For other publications and articles in Texas.....	500
For salary of Superintendent.....	2000
For salary of clerk for Superintendent.....	1500
For salary of agent at New York, Castle Garden..	1500
For salary of agent at Galveston.....	1500
For salary of agent on European continent.....	2500
For salary of agent in Great Britain.....	2500
For office rent of Superintendent and agents.....	1000
For stationery and postage.....	600
For telegraphing, portorage, fuel and lights.....	250

Adopted.

Senator Fountain proposed to amend by inserting in page nine, school department, "For printing blanks, \$308." Adopted.

On motion the Senate adjourned to 4 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment. Roll called; quorum present.

Senate resumed the consideration of the general appropriation bill.

On motion of Senator Shelley, House bill No. 721, "An act to regulate the assessment and collection of taxes," with Senate amendments, was taken up, and Senate adhered to its amendments, and appointed Senators Shelley, Dillard and Henry a conference committee on the disagreement of the two houses.

The following message was received from his Excellency the Governor:

EXECUTIVE OFFICE, STATE OF TEXAS,
AUSTIN, May 22, 1873.

To the Honorable Senate of the State of Texas:

GENTLEMEN: I would respectfully ask your advice and consent to the following appointment, to-wit:

John L. Lovejoy, Judge of the Eighth Judicial District.

Very respectfully,

EDMUND J. DAVIS, Governor.

A message was received from the House informing the Senate that the House had passed the following bills:

House bill No. 931, "An act supplementary to an act entitled an act to amend the twenty-second section of an act entitled an act prescribing the times of holding the district courts in the several judicial districts in the State, approved February 6, 1871."

House bill No. 929, "An act to provide for the recording writ of error and appeal bonds, and to give them the force and effect of judgment liens."

House bill No. 914, "An act authorizing and requiring the issuance of certificates to certain persons therein named."

House bill No. 326, "An act to prohibit the sale or disposition of spirituous, vinous or other intoxicating liquors within three miles of Mount Calm Masonic Institute."

House bill No. 775, "An act amendatory of and supplemental to an act entitled an act to incorporate the Texas Timber and Prairie Railroad Company, approved August 15, 1870."

House joint resolution No. 350, concerning surveyors' records of Liberty, Hill and Montague counties.

House bill No. 412, "An act for the relief of G. W. Patterson and son."

House bill No. 926, "An act supplementary to and amendatory of an act entitled an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties, passed August 13, 1870."

House bill No. 920, "An act to authorize the city of Austin to become a stockholder in any company or corporation for the purpose of supplying said city with water and gas."

House bill No. 930, "An act to amend an act entitled an act to provide for districting the State of Texas into judicial districts, approved July 2, 1870."

Senate bill No. 30, "An act to incorporate the Sherman, Wichita and Pan Handle Railway, and to grant land to aid in the construction thereof."

Also, that the House had appointed Messrs. Russell, Wood, and Smith of Colorado a committee of conference on the disagreement of the two houses on House bill No. 721, "An act to regulate the assessment and collection of taxes."

The Senate then resumed the consideration of the general appropriation bill.

Senator Word proposed to amend the judicial department, in line forty, page thirteen, "For each judge of each judicial district in the State, \$3500;" and line forty-two same section, the sum of \$1200 for each district attorney in the State. The amendment was adopted.

Senator Finlay moved to postpone the further consideration of the bill until 11 o'clock A. M., to-morrow, which was lost by the following vote:

Yeas—Senators Dillard, Evans, Finlay, Henry, King, Latimer, Swift, Word and Mr. President—9.

Nays—Senators Avinger, Baker, Ball, Cole, Ford, Flanagan, Fountain, Franks, Hall, Pyle, Ruby, Sayers, Shelley, Tendick and Tracy—16.

Not voting—Senators Broughton, Dohoney, Rawson and Randle.

Senator Franks proposed to amend page twelve, line twenty-two, by striking out "\$20,000," and inserting "\$30,000." Adopted.

Senator Dillard proposed to amend page fifteen, line fourteen, by striking out "\$20,000," and inserting "\$10,000," and strike out all of line twenty, which was lost by the following vote:

Yeas—Senators Ball, Dillard, Dohoney, Finlay, Henry, Latimer, Swift and Word—8.

Nays—Senators Avinger, Baker, Cole, Ford, Flanagan, Fountain, Franks, Gaines, Hall, Pyle, Ruby, Sayers, Shelley, Tendick and Tracy—15.

Not voting—Senators Broughton, Evans, King, Randle, Saylor and Mr. President.

Senator Fountain proposed to amend, under the head of school department, as follows: Add after line fourth, page eight, "for traveling expenses of Superintendent, \$1000; for books, blanks, stationery and printing, \$1500; for postage and porter hire, \$1000; salary of one clerk, \$1800; for contingent expenses, wood, furniture and telegraphing, \$600."

On motion of Senator Franks, a division of the question was ordered.

The first amendment put and lost.

Second amendment adopted.

Third amendment adopted by the following vote:

Yeas—Senators Baker, Cole, Ford, Flanagan, Fountain,

Gaines, Henry, King, Pyle, Randle, Sayers, Shelley, Tendick and Tracy—14.

Nays—Senators Avinger, Ball, Dillard, Evans, Finlay, Franks, Swift and Word—8.

Not voting—Senators Broughton, Dohoney, Hall, Latimer, Rawson, Ruby and Mr. President.

Fourth amendment adopted.

Senator ——— proposed to amend as follows: Add, at the end of line fifty-three, judiciary department, "*provided*, that no district judge shall be entitled to draw any salary under this act after all the counties of his district shall have been attached to any other district, or districts, by the Legislature."

On motion of Senator Finlay, a call of the Senate was ordered.

Absent—Senators Broughton, Rawson and Randle.

Senator Word proposed to amend page two, line ten, under the head of Executive department, by striking out "\$250," and inserting "\$1020," for gardener and porter.

Adopted.

Senator Fountain proposed to amend by adding after line seventeen, page eight, "for books, blanks, stationery and printing, \$1500; for salary of one clerk, \$1800; for postage and porter hire, \$1000; for telegraphing, wood and contingent expenses, \$800."

On motion of Senator Franks, a division of the question was ordered.

First and second amendments adopted.

Third amendment lost, and fourth adopted.

Senator Shelley proposed to amend same section, same line and page: "for postage, \$700; for porter hire, \$300."

Adopted.

On motion of Senator Ruby, the call of the Senate was suspended, and Senator Finlay's amendment, upon which a call of the Senate was ordered, relative to district judges, was adopted by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Henry, King, Latimer, Sayers, Shelley, Swift and Word—14.

Nays—Senators Baker, Ford, Flanagan, Fountain, Franks, Gaines, Rawson, Ruby, Saylor and Tendick—10.

Not voting—Senators Broughton, Hall, Pyle, Randle, Tracy and Mr. President.

Senator Finlay proposed to amend, under the head of Land Office, as follows: "*Provided*, that only fifteen clerks and nine draughtsmen shall be employed in the Land Office at any one time."

Pending the consideration of the amendment, on motion of Senator Finlay, the Senate adjourned to 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
AUSTIN, TEXAS, May 23, 1873.

Senate met pursuant to adjournment. Roll called; quorum present.

Absent—Senators Flanagan and Saylor.

Prayer by the Rev. Mr. Lovejoy.

On motion of Senator Franks, the reading of the journal of yesterday was dispensed with.

Senator Dillard, chairman of the Committee on Retrenchment and Reform, submitted the following report:
Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Retrenchment and Reform, to whom was referred the consideration of Senate bill No. 80, entitled "An act to provide for payment of sheriffs for guards employed in conveying prisoners to the Penitentiary of the State," and the Governor's veto of said bill, have had the same under consideration, and beg leave to report that in their opinion the reasons urged by his Excellency the Governor against the passage of said bill are well founded, as your committee are informed by Senator E. T. Randle, a former superintendent of the Penitentiary, that sheriffs frequently claimed pay for guards not actually employed by them.

Your committee would therefore recommend the passage of another act which will better protect the Treasury of the State against such frauds, which will perhaps obviate the objections urged by the Governor to the bill vetoed by him.

In accordance with these views, your committee would respectfully beg leave to report the accompanying bill and recommend its passage.

J. E. DILLARD, Chairman.

Senator Pyle, chairman of the Committee on Contingent Expenses, submitted the following report: